



COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915  
(949) 644-3200 Fax: (949) 644-3229  
[www.newportbeachca.gov](http://www.newportbeachca.gov)

**CITY OF NEWPORT BEACH  
ZONING ADMINISTRATOR STAFF REPORT**

August 29, 2013  
Agenda Item No. 6

**SUBJECT:** 4675 MacArthur Court Sign Modification - (PA2013-150)  
4675 MacArthur Court  
▪ Modification Permit No. MD2013-011

**APPLICANT:** Architectural Design & Signs

**PLANNER:** Melinda Whelan, Assistant Planner  
(949) 644-3221, [mwhelan@newportbeachca.gov](mailto:mwhelan@newportbeachca.gov)

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**ZONING DISTRICT/GENERAL PLAN**

- **Zone:** PC-15 (Koll Center)
- **General Plan:** Commercial General (CO-G)

**PROJECT SUMMARY**

A request to exceed the allowed square footage for wall signs within the Koll Center Planned Community (PC-15). The two proposed wall signs will serve as building identification at the top of a 214-foot 6-inch tall, 16-story office building. The signs will be approximately 314 square feet in area including a text and a logo. The Planned Community limits wall signs to a maximum area of 200 square feet.

**RECOMMENDATION**

- 1) Conduct a public hearing; and
- 2) Adopt Zoning Administrator Resolution No. \_ approving Modification Permit No. MD2013-011 (Attachment No. ZA 1).

**DISCUSSION**

- The site is comprised of a 214-foot 6-inch tall, 16-story office building that is occupied by multiple tenants. The planned community development regulations limit signage to a single entity on two façades. The placement of two signs on a



single façade to identify the major building tenant is a logical use of the building fascia.

- The proposed signage will allow drivers coming from the direction of the primary arterial (405 Freeway) to easily identify and locate the major tenant of the site.
- The building façade on which the signage is proposed to be located is 214-feet, 6-inches tall and consists of 144 linear feet of frontage, or a total of 30,888 square feet in area on the subject façade. The logo sign and letter text sign will consist of approximately 313 square feet in area, which is proportionally small in comparison to the overall building façade (approximately 1 percent).
- The total proposed sign is comprised of a logo at 10-feet high between two words of letter text that is a maximum 5-feet, 8-inches high, which is proportionally small when compared to the overall height of the building. In addition, the two signs would be located on the upper 10 percent of the building and would cover approximately 2 percent of the overall building façade.
- Limiting the overall size of the signage to 200 square feet, maximum, in area would prevent adequate identification of the major tenant of a building this height and size.
- The size of the signage is consistent with other signage in the vicinity. The adjacent, multi-story building at 4680 MacArthur Court has a similar sized sign at 386 square feet, which does not appear to be detrimental to the area.
- Approval of the application to increase the size of wall signs does not change the density or intensity of use.
- The building does not have any other tenant identification signs on the exterior of the building so the increased size of the signs will not detract from the building's exterior.
- The increased size of the wall signs will provide better visual direction for the public from the surrounding public roadways and from a greater distance without detracting from the building's overall aesthetic.

## **ENVIRONMENTAL REVIEW**

The installation of two building signs on an existing office building is exempt from environmental review pursuant to Section 15303 (Class 3 New Construction or Conversion of Small Structures) and Section 15311 (Class 11 Accessory Structures) of the Implementing Guidelines of the California Environmental Quality Act (CEQA), which

exempts the construction of limited numbers of new, small facilities or structures and accessory structures including signs on existing buildings.

**PUBLIC NOTICE**

Notice of this application was published in the Daily Pilot, mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways) including the applicant and posted on the subject property at least 10 days before the scheduled hearing, consistent with the provisions of the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

**APPEAL PERIOD:**

An appeal may be filed with the Community Development Director within 14 days following the date of action. For additional information on filing an appeal, contact the Planning Division at (949) 644-3200.

Prepared by:



Melinda Whelan  
Assistant Planner

JC/msw

|              |      |                  |
|--------------|------|------------------|
| Attachments: | ZA 1 | Draft Resolution |
|              | ZA 2 | Vicinity Map     |
|              | ZA 3 | Project Plans    |

# **Attachment No. ZA 1**

Draft Resolution



## **RESOLUTION NO. ZA2013-0##**

### **A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING MODIFICATION PERMIT NO. MD2013-011 FOR TWO WALL SIGNS LOCATED AT 4675 MACARTHUR COURT (PA2013-150)**

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

#### **SECTION 1. STATEMENT OF FACTS.**

1. An application was filed by Architectural Design & Signs with respect to property located at 4675 MacArthur Court, and legally described as Tract 3363 Lot 122 All –Excluding Northerly 4 ft- Of Lot and Easterly 78.23 feet Northerly 4 Ft of Lot requesting approval of a Modification Permit.
2. The applicant proposes to exceed the allowed square footage for wall signs within the Koll Center Planned Community (PC-15). The two proposed wall signs will serve as building identification at the top of a 214-foot 6-inch tall, 16-story office building. The signs will be approximately 314 square feet including a text and a logo. The Planned Community limits these types of wall signs to a maximum area of 200 square feet.
3. The subject property is located within the Koll Center Planned Community (PC-15) Zoning District and the General Plan Land Use Element category is General Commercial Office (CO-G).
4. The subject property is not located within the coastal zone.
5. A public hearing was held on August 29, 2013, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

#### **SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.**

The installation of two building signs on an existing office building is exempt from environmental review pursuant to Section 15303 (Class 3 New Construction or Conversion of Small Structures) and Section 15311 (class 11 Accessory Structures) of the Implementing Guidelines of the California Environmental Quality Act (CEQA), which exempts the construction of limited numbers of new, small facilities or structures and accessory structures including signs on existing buildings.

### SECTION 3. REQUIRED FINDINGS.

In accordance with Section 20.52.050 of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

*A. The requested modification will be compatible with existing development in the neighborhood*

Facts in Support of Finding:

1. Large and tall buildings are common within the Koll Center area and these taller buildings typically have larger wall signs for major tenants to provide building identification at the top of buildings.
2. The proposed signs are at the top of a 16-story building and the adjacent multi-story building at 4680 MacArthur Court has a similar sized sign at 386 square feet.

Finding:

*B. The granting of the modification is necessary due to the unique physical characteristic(s) of the property and/or structure, and/or characteristics of the use*

Facts in Support of Finding:

1. Due to the location of and the height of the building, an increase in letter height and sign area to provide building identification is necessary to provide visibility.

Finding:

*C. The granting of the modification is necessary due to practical difficulties associated with the property and that the strict application of the Zoning Code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code*

Facts in Support of Finding:

1. The 214-foot, 6-inch high-rise building is located in a block among several existing high-rise and multi-story buildings making visibility of the site location and identification more difficult for the general public.



2. The increased size of the wall signs is appropriate to the scale and height of the buildings in the area and necessary to provide adequate visibility within the office and commercial area.

Finding:

*D. There are no alternatives to the modification permit that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public*

Facts in Support of Finding:

1. The existing building surrounded by other multi-story and high-rise buildings does not have wall areas adequately visible to the public other than up at the top of the building with a larger wall sign.
2. The building façade on which the signage is proposed to be located is 214-feet, 6-inches tall and consists of 144 linear feet of frontage, or a total of 30,888 square feet in area on the subject façade. The logo sign and letter text sign will consist of approximately 313 square feet in area, which is proportionally small in comparison to the overall building façade (approximately 1 percent.)

Finding

*E. The granting of the modification would not be detrimental to public health, safety, or welfare to the occupants of the property, nearby properties, the neighborhood, or the City, or result in a change in density or intensity that would be inconsistent with the provisions of this Zoning Code*

1. Approval of the application to increase the size of wall signs does not change the density or intensity of use.
2. The building does not have any other tenant identification signs on the exterior of the building so the increased size of the signs will not detract from the building's exterior.
3. The increased size of the wall signs will provide better visual direction for the public from the surrounding public roadways and from a greater distance without detracting from the building's overall aesthetic.
4. The location of the wall signs on the two building façades of the existing building does not affect views or impact the surrounding area since they are located on the existing building.

SECTION 4. DECISION.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Zoning Administrator of the City of Newport Beach hereby approves Modification Permit No. MD2013-011, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
2. This action shall become final and effective 14 days after the adoption of this Resolution unless within such time an appeal is filed with the Community Development Director in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.
3. This resolution supersedes Modification Permit No. MD3637, which upon vesting of the rights authorized by Modification Permit No. MD2013-011, shall become null and void.

**PASSED, APPROVED AND ADOPTED THIS 29<sup>th</sup> DAY OF AUGUST, 2013.**

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Brenda Wisneski, AICP, Zoning Administrator

**EXHIBIT "A"****CONDITIONS OF APPROVAL****PLANNING**

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval. (Except as modified by applicable conditions of approval.)
2. *Modification No. MD2013-011 shall expire unless exercised within 24 months from the date of approval as specified in Section 20.91.050 of the Newport Beach Municipal Code, unless an extension is otherwise granted.*
3. The maximum height of the logo portion of each sign shall not exceed 10 feet and the maximum height of the letters shall not exceed 5-feet, 8-inches.
4. The maximum square footage of each sign including the logo shall not exceed 314 square feet.
5. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
6. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this modification.
7. This Modification Permit may be modified or revoked by the Zoning Administrator if it is determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
8. A copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans prior to issuance of the building permits.
9. Prior to issuance of building permits, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the Modification Permit file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Modification Permit and shall highlight the approved elements such that they are readily discernible from other elements of the plans.

10. Prior to the issuance of a building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
11. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or the leasing agent.
12. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the 4675 MacArthur Court Sign Modification including, but not limited to, Modification Permit No. MD2013-011 (PA2013-150). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

## **Attachment No. ZA 2**

Vicinity Map

# VICINITY MAP



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Modification Permit No. MD2013-011  
PA2013-150  
**4675 MacArthur Court**

# **Attachment No. ZA 3**

Project Plans







2950 Palisades Dr.  
Corona, CA 92880  
Tel. 800.862.3202  
www.ad-s.com

# REALITY BEGINS WITH VISION

Prepared for:

## MSC Software

4675 MacArthur Court  
Newport Beach, CA 92660

**Permit Set**

From: **MILTON SOLOMON**

cell: 949.678.2878

email: msolomon@ad-s.com

### COLOR DISCLAIMER

Due to the limitations of desktop scanners and the relative inconsistencies of various display monitors and printers, the colors you see on your screen or on paper may not be a totally accurate reproduction of the actual product. We strive to make our colors as accurate as possible, but screen and printed images are intended as a guide only and should not be regarded as absolutely correct. Site conditions and onsite lighting can also affect how the product appears (i.e. LED, different Florescent bulbs, Natural Light, Backlit, Halolit, Facelit). **We recommend that you request a color sample** as CMYK (Cyan, Magenta, Yellow and Black) are the colors used in the printing process, whereas RGB (Red, Green and Blue) are the colors used by screen displays such as your monitor. For this reason and due to variations introduced by light and various equipment, the colors on your screen or a print may not exactly match the finished product.

**If you would like to see a sample of any color, please request an actual sample from your Salesperson or Project Manager.**

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Client Name (Please Print) \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Client Name (Signature) \_\_\_\_\_

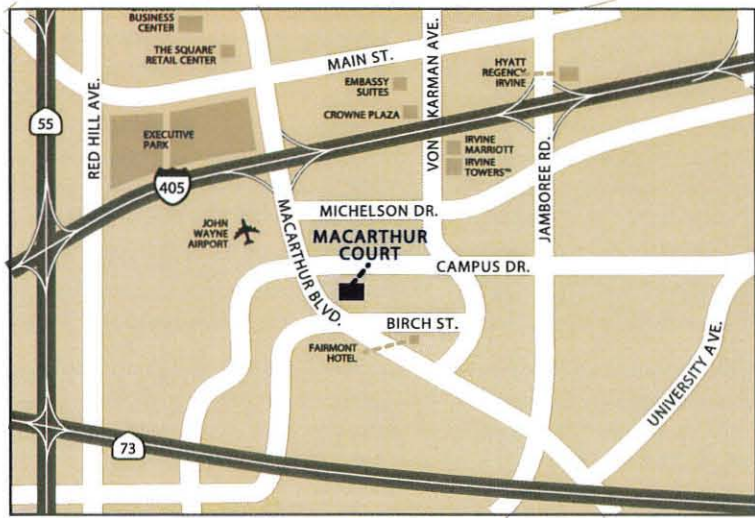
**PLEASE INITIAL ALL PAGES**

AD/S Drawing #35509 Rev. #4 Rev. Date: 07/02/13

Pages: SP:1 - 2

- ☐ Approved
- ☐ Approved as Noted
- ☐ Revise & Resubmit
- ☐ Rejected



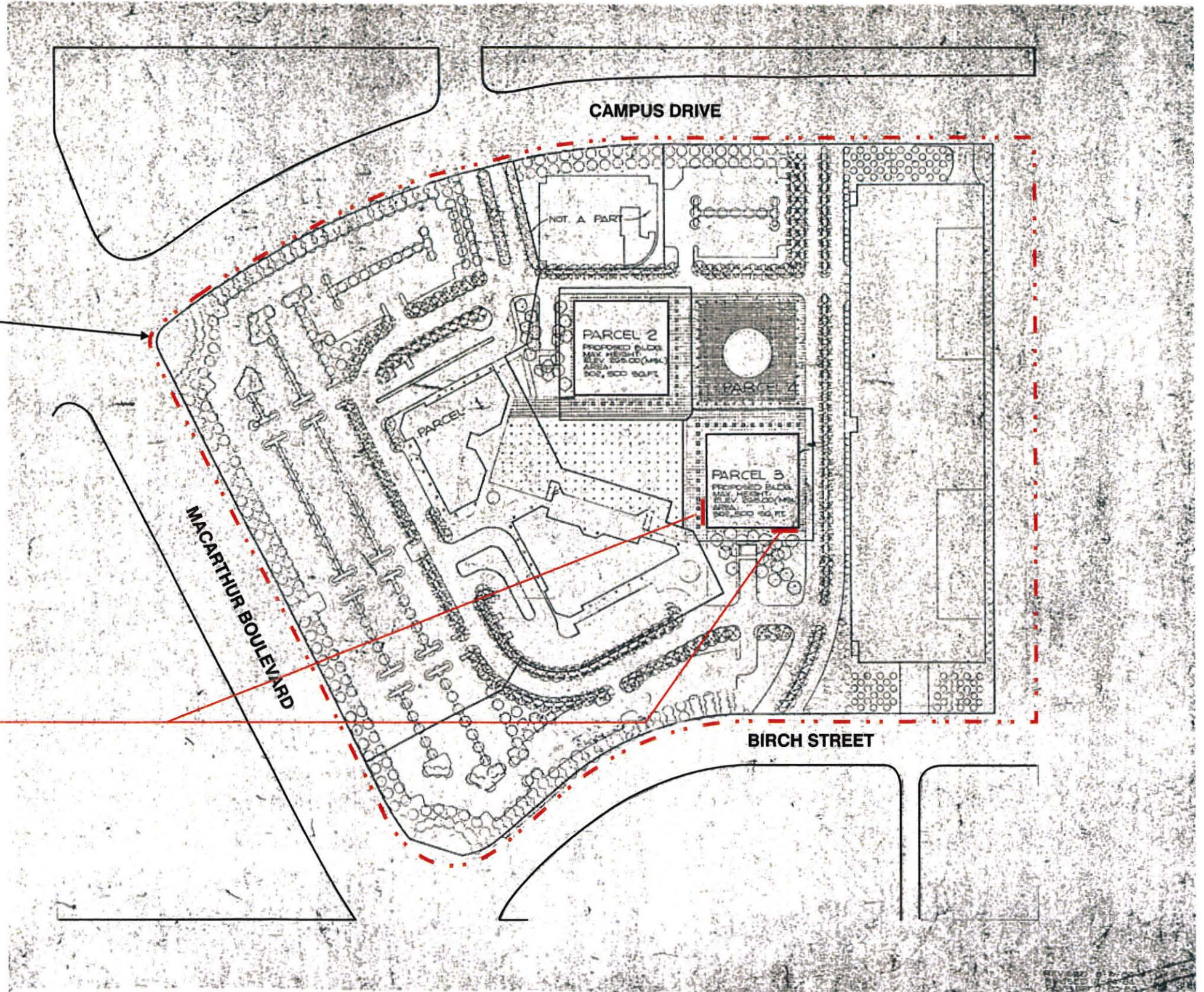


Vicinity Map



PROPERTY LINE

**MSC Software**  
Sign 'A'



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- Lighting + Maintenance

Client:

MSC Software  
4675 MacArthur Court  
Newport Beach, CA 92660

Project:

MSC Software  
4675 MacArthur Court  
Newport Beach, CA 92660

Revisions:

- 2 DM: 06/21/13 - Revise sizes per client
- 3 DM: 06/21/13 - Revise sizes per client
- 4 DM: 07/02/13 - Revise sizes per client

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Project No: 35509-R04(PS)

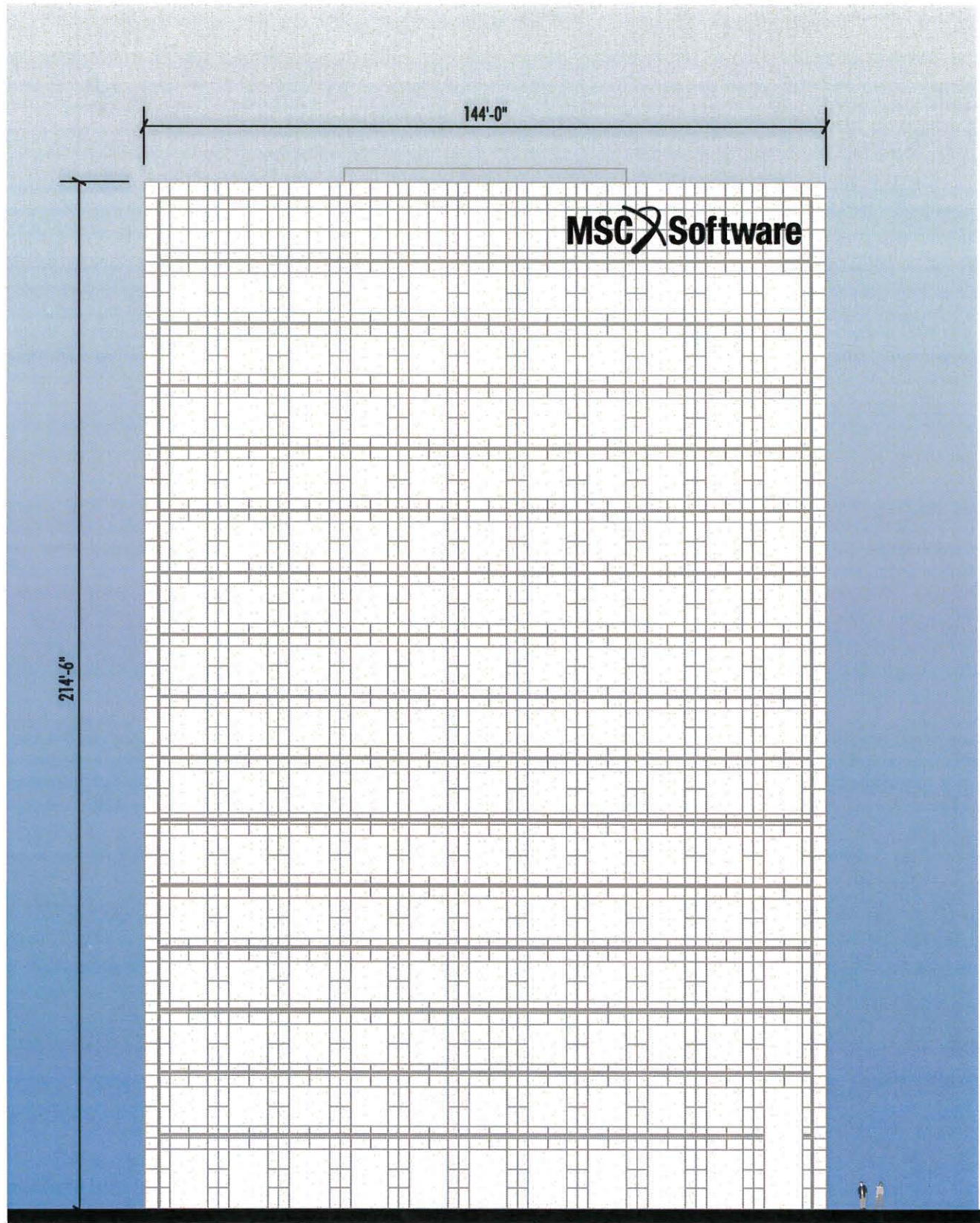
MS/KB/DM

Date: 07-02-13

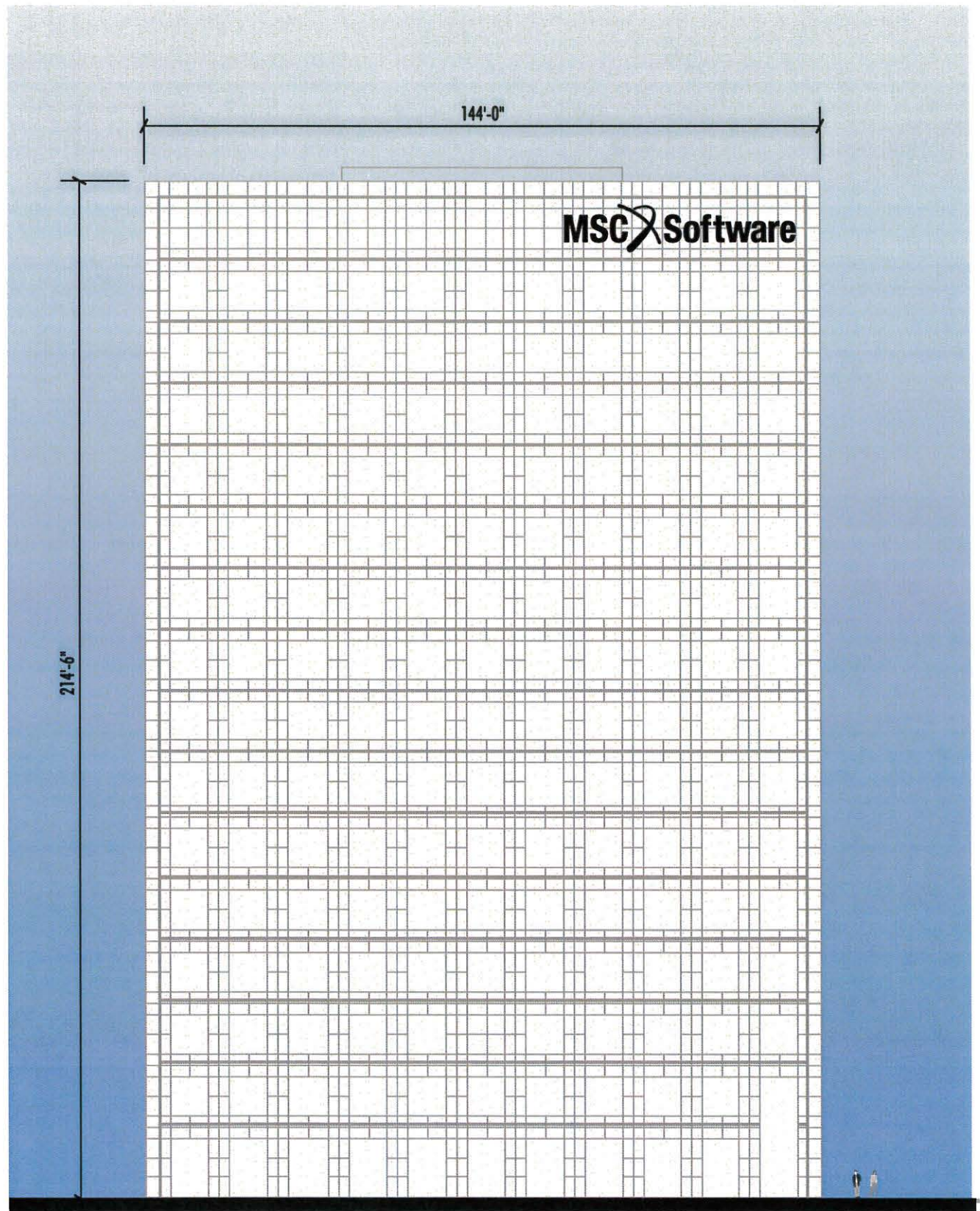
Sign Type: Site Plan

Sheet No: SP.1





**1 WEST ELEVATION**  
SCALE: 1" = 30'-0"



**2 SOUTH ELEVATION**  
SCALE: 1" = 30'-0"



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4675 MacArthur Court  
Newport Beach, CA 92660

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Project No: **35509-R04(PS)**

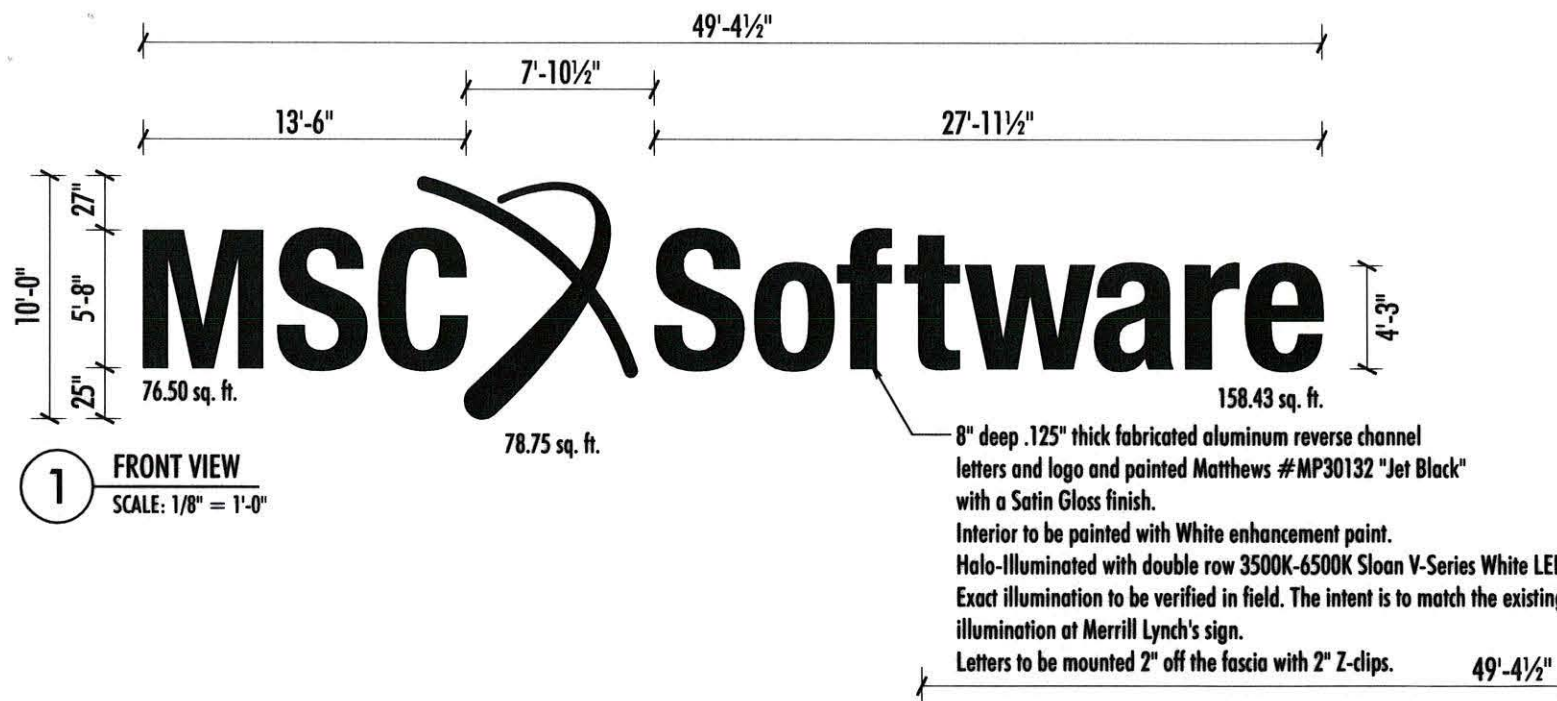
MS/KB/DM

Date: **07-02-13**

Sign Type: **Building Elevations**

Sheet No: **BE.1**



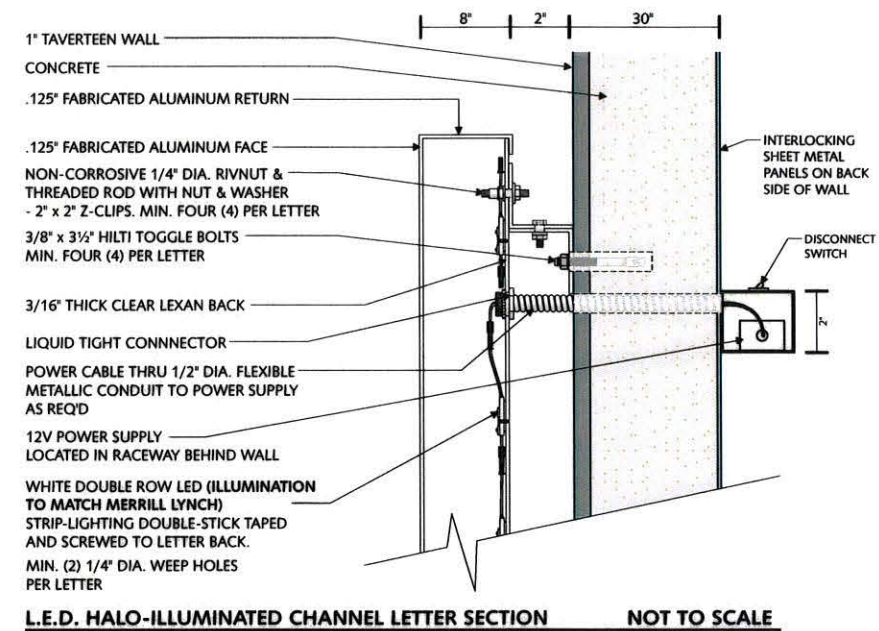


Qty: Two (2) Sets

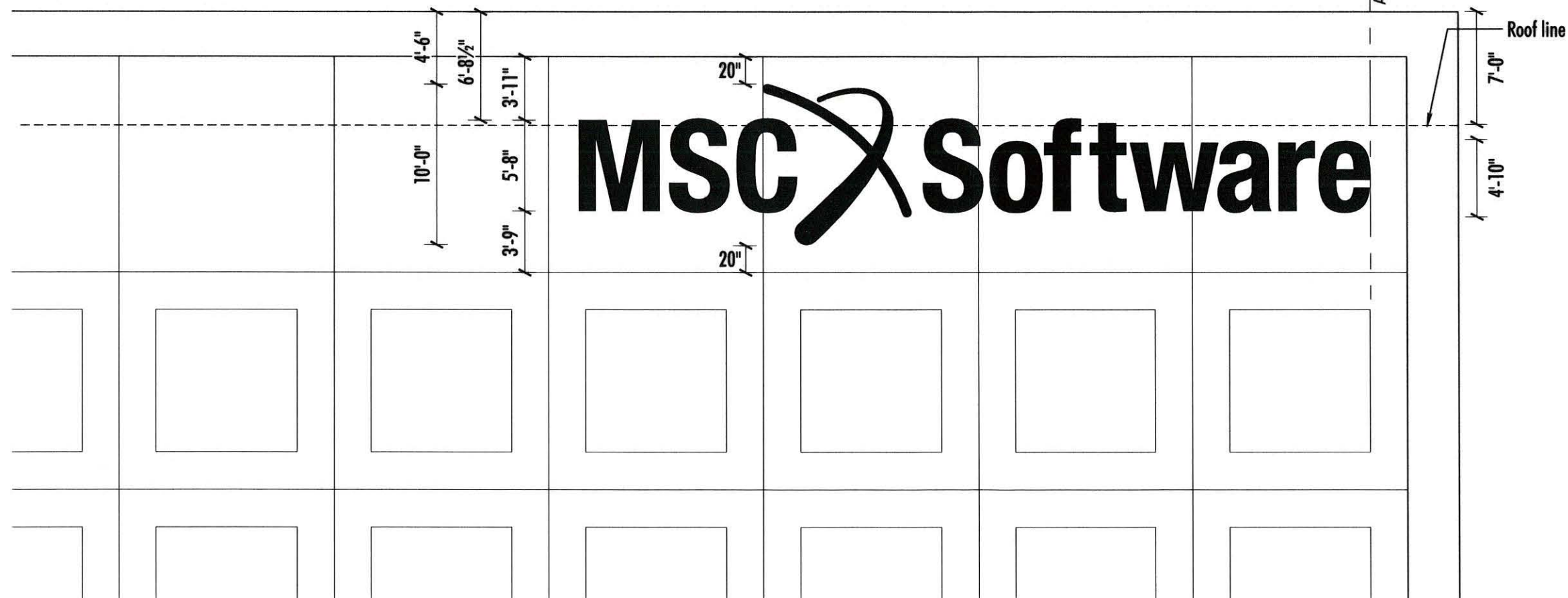
Copy Sign Area = 234.93 Sq. Ft.

Symbol Sign Area = 78.75 Sq. Ft.

Total Sign Area = 313.68 Sq. Ft.



ALL COMPONENTS TO BE  APPROVED



2

SIGN POSITIONING ON WEST AND SOUTH ELEVATIONS

SCALE: 1/8" = 1'-0"

REQUIREMENTS FOR EACH SIGN LOCATION:

REQUIREMENTS FOR ELECTRICAL ILLUMINATION:

PRIMARY ELECTRICAL TO SIGN LOCATIONS TO BE PROVIDED BY OTHERS. A DEDICATED CIRCUIT WITH NO SHARED NEUTRALS AND A GROUND RETURNING TO THE PANEL IS REQUIRED FOR INSTALLATION.

ALL TRANSFORMERS SHALL BE, (6F1) GROUND FAULT-INTERRUPTED TRANSFORMERS.

ALL SIGNS HAVE - DEDICATED BRANCH CIRCUIT

- THREE WIRES - LINE, NEUTRAL, & GROUND
- WIRE SIZE - MINIMUM OF 12 GA. THIN COPPER WIRE

ALSO NOTE: GAUGE OF WIRE IS DETERMINED BY THE LENGTH OF RUN & AMPERAGE AS PER NEC ARTICLE 300.

- GROUND WIRE MUST BE CONTINUOUS AND GO FROM THE SIGN TO THE PANELBOARD GROUND BUS.
- VOLTAGE SHOULD READ NO MORE THAN 3 VOLTS BETWEEN GROUND AND NEUTRAL.
- CONDUIT CAN NOT BE USED AS GROUND PATH.
- POWER TO SIGN MUST BE DONE BY A LICENSED ELECTRICIAN OR ELECTRICAL CONTRACTOR.

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

1 Dedicated 20 Amp Circuit at 120 Volts

**Note #1:** All above is not in sign company's scope of work and must be in place prior to installation.

**Note #2:** Timers and/or photocells for signs to be furnished and installed by the customer's electrician, who should also ensure that the completed electrical system is code compliant.



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Client:

MSC Software  
4675 MacArthur Court  
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Project:

MSC Software  
4675 MacArthur Court  
Newport Beach, CA 92660

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Project No: 35509-R04(P5)

MS/KB/DM

Date: 07-02-13

Sign Type: Sign 'A'

Sheet No: 1

20





**1** PROPOSED ELEVATION (Facing MacArthur & Birch)  
SCALE: NTS



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Project No: 35509-R04(ps) MS/KB/DM

Date: 07-02-13

Sign Type: Photo Elevation

Sheet No: 2 21



|   |   |   |   |
|---|---|---|---|
| <b>Certificate of Compliance (Sign Lighting)</b>  |   | (Page 1 of 4)                                       | SLTG-1C   |
| Project Name:<br>MSC Software   |   | Date: 07-19-13                                      |   |
| Project Address:<br>4675 MacArthur Court Newport Beach, CA 92660  |   |   |   |
| Location of Sign  | <input checked="" type="checkbox"/> Outdoor Signs         | <input type="checkbox"/> Indoor Signs               |   |
| Phase of Sign Construction  | <input checked="" type="checkbox"/> New Signs             | <input type="checkbox"/> Sign Alterations           |   |
| Type of Lighting Control  | <input checked="" type="checkbox"/> New Lighting Controls | <input type="checkbox"/> Replaced Lighting Controls | <input type="checkbox"/> Not Installing Lighting Controls |
| This Certificate of Compliance includes the following components (check all that apply)   |   |   |   |
| <input checked="" type="checkbox"/> Mandatory Measures (Lighting Controls) <input checked="" type="checkbox"/> Maximum Allowed Lighting Power <input checked="" type="checkbox"/> Specific Lighting Sources |   |   |   |

|   |                              |  |
|---|------------------------------|--|
| <b>1. Certificate of Compliance Declaration Statement</b> (this may be a C10, C45 or other eligible person)   |                              |  |
| <input checked="" type="checkbox"/> I certify under penalty of perjury, under the laws of the State of California, the information provided on this form is true and correct.   |                              |  |
| <input checked="" type="checkbox"/> I am eligible under Division 3 of the California Business and Professions Code to accept responsibility for the lighting design.  |                              |  |
| <input checked="" type="checkbox"/> This Certificate of Compliance identifies the lighting features and performance specifications required for compliance with Title 24, Parts 1 and 6 of the California Code of Regulations.  |                              |  |
| <input checked="" type="checkbox"/> The design features represented on this Certificate of Compliance are consistent with the information provided to document this design on the other applicable compliance forms, worksheets, calculations, plans and specifications submitted to the enforcement agency for approval with this building permit application. |                              |  |
| Name:   | Barbara Cohen                | Signature  |
| Company:  | Architectural Design & Signs | Phone<br>(951) 278-0680 x124                         |
| Address:  | 2950 Palisades Drive         | License number (may be contractor's lic #)<br>714309 |
| City/State/Zip:   | Corona, CA 92880             | Date<br>07-19-13                                     |

|  |   |                                 |
|--|---|---------------------------------|
| <b>2. Installation Certificate</b> (to be signed by responsible person after installation)   |   |                                 |
| Permit number<br>(Enforcement Agency Use)  | Checked by/Date<br>(Enforcement Agency Use) |                                 |
| <b>Installation Declaration statement</b>  |   |                                 |
| <input type="checkbox"/> I certify under penalty of perjury, under the laws of the State of California, the information provided on this form is true and correct.   |   |                                 |
| <input type="checkbox"/> I am eligible under Division 3 of the Business and Professions Code to accept responsibility for construction, or an authorized representative of the person responsible for construction.  |   |                                 |
| <input type="checkbox"/> I certify that the installed features, materials, components, or manufactured devices identified on this certificate conforms to all applicable codes and regulations, and the installation is consistent with the plans and specifications approved by the enforcement agency.   |   |                                 |
| <input type="checkbox"/> I certify that the requirements detailed on this Certificate of Compliance have been met.   |   |                                 |
| <input type="checkbox"/> I will ensure that a completed, signed copy of this Installation Certificate shall be posted, or made available with the building permit(s) issued for the building, and made available to the enforcement agency for all applicable inspections. I understand that a signed copy of this Installation Certificate is required to be included with the documentation the builder provides to the building owner at occupancy. |   |                                 |
| Company Name:  |   |                                 |
| Responsible Person's Name:   |   | Responsible Person's Signature: |
| License number (may be contractor's lic #)   | Date Signed:                                | Position With Company:          |

|   |   |                   |         |
|---|---|-------------------|---------|
| <b>Certificate of Compliance (Sign Lighting)</b>  |   | (Page 2 of 4)     | SLTG-1C |
| Project Name:<br>MSC Software   |   | Date:<br>07-19-13 |         |
| <b>3. Mandatory Sign Lighting Controls</b>  |   |                   |         |
| <b>NOTES:</b>   |   |                   |         |
| 1. The same responsible person may install both the sign lighting power and the sign lighting controls, or a different responsible person may install the sign lighting controls than the responsible person installing the sign lighting power.  |   |                   |         |
| 2. The Mandatory Measures (sign lighting controls) are required for compliance with the sign lighting Standards. If the person responsible for installing the sign lighting power is not also responsible for the sign lighting controls, then the owner of the sign, general contractor, or architect shall be responsible to have the sign lighting controls installed.   |   |                   |         |
| 3. If more than one person has responsibility for compliance, each responsible person shall prepare and sign a Certificate of Compliance and an Installation Certificate applicable to the portion of construction for which they are responsible; alternatively, the person with chief responsibility for construction shall prepare and sign the Certificate of Compliance Declaration Statement for the entire construction. |   |                   |         |
| <b>3a. Statements of Responsibility:</b> Any person signing the Certificate of Compliance Declaration Statement on page 1 of 4 on this SLTG-1C shall complete Part 3a. Check Yes or No for all of the following statements:   |   |                   |         |
| 1   | I have responsibility for installing the sign lighting controls<br><input checked="" type="checkbox"/> Yes, complete parts 3a and 3b of this form <input type="checkbox"/> No, complete part 3a of this form  |                   |         |
| 2   | There are no existing sign lighting controls and I will be installing compliant sign lighting controls<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |                   |         |
| 3   | There are no existing sign lighting controls and someone else will be responsible to install compliant sign lighting controls<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |                   |         |
| 4   | There are existing sign lighting controls that do not comply with the applicable provision of §119 and §133 and I will be installing compliant sign lighting controls<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                        |                   |         |
| 5   | There are existing sign lighting controls that do not comply with the applicable provision of §119 and §133 and someone else will be responsible to install compliant sign lighting controls<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                   |         |

|   |   |                                     |                                     |                                     |
|---|---|-------------------------------------|-------------------------------------|-------------------------------------|
| <b>3b. Mandatory Sign Lighting Controls</b>   |   |                                     |                                     |                                     |
| If the person signing the Certificate of Compliance Declaration Statement on page 1 of 4 of this SLTG-1C is responsible for complying with the sign lighting control requirements, that person shall answer all of the following questions: |   |                                     |                                     |                                     |
| If there are construction documents, indicate where on the building plans the mandatory measures (sign lighting control) note block can be located:   |   |                                     |                                     |                                     |
| 1   | §133(a)1. All indoor sign lighting is controlled with an automatic time switch control that complies with the applicable requirements of §119.  | Y                                   | N                                   | NA                                  |
|   |   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 2   | §133(a)1 and 2. All outdoor sign lighting is controlled with an automatic time switch control plus a photo control, or an outdoor astronomical time switch, that comply with the applicable requirements of §119.   | Y                                   | N                                   | NA                                  |
|   |   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
|   | Exception to §133(a)2. Outdoor signs in tunnels or large covered areas that require illumination during daylight hours.   | Y                                   | N                                   | NA                                  |
|   |   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
|   | §133(a)3. All outdoor signs are controlled with a dimmer that provides the ability to automatically reduce sign power by a minimum of 65 percent during nighttime hours.  | Y                                   | N                                   | NA                                  |
|   |   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
|   | Exception 1 to §133(a)3. Signs illuminated for less than one hour per day during daylight hours.  | Y                                   | N                                   | NA                                  |
|   |   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
|   | Exception 2 to §133(a)3. Outdoor signs in tunnels or large covered areas that require illumination during daylight hours.   | Y                                   | N                                   | NA                                  |
|   |   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
|   | Exception 3 to §133(a)3. Only metal halide, high pressure sodium, cold cathode, or neon lamps used for illuminating signs or parts of signs.  | Y                                   | N                                   | NA                                  |
|   |   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 4   | §133(a)4. An Electronic Message Center (EMC) having a new connected lighting power load greater than 15 kW has a control installed capable of reducing the lighting power by a minimum of 30 percent when receiving a demand response signal that is sent out by the local utility. | Y                                   | N                                   | N/A                                 |
|   |   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
|   | Exception to §133(a)4. EMC required by a health or life safety statute, ordinance, or regulation, including but not limited to exit signs and traffic signs.  | Y                                   | N                                   | NA                                  |
|   |   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Field Inspector Notes:  |   |                                     |                                     |                                     |



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Client:

MSC Software  
4675 MacArthur Court  
Newport Beach, CA 92660

Project:

MSC Software  
4675 MacArthur Court  
Newport Beach, CA 92660

Revisions:

- 2 DM: 06/21/13 - Revise sizes per client
- 3 DM: 06/21/13 - Revise sizes per client
- 4 DM: 07/02/13 - Revise sizes per client

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Project No: 35509-R04(PS)

MS/KB/DM

Date: 07-02-13

Sign Type: Title 24

Sheet No: T24.1

22



|  |                 |   |                 |  |  |                       |                 |  |   |
|--|-----------------|---|-----------------|--|--|-----------------------|-----------------|--|---|
| Certificate of Compliance (Sign Lighting)  |                 |   |                 |  |  | (Page 3 of 4)         |                 | SLTG-1C                                  |   |
| Project Name:<br>MSC Software  |                 |   |                 |  |  | Date:<br>07-19-13     |                 |  |   |
| 4. Maximum Allowed Lighting Power Method of Compliance   |                 |   |                 |  |  |                       |                 |  |   |
| Certificate of Compliance and Field Inspection Energy Checklist  |                 |   |                 |  |  |                       |                 |  |   |
| Complete this part if there are signs using the maximum allowed lighting power method of compliance. (Complete part 5 of this Certificate of Compliance if there are signs using the Specific lighting sources method of compliance)   |                 |   |                 |  |  |                       |                 |  |   |
| A  | B               | C   | D               | E  | F  | G                     | H               | I  | J |
| Symbol or Code   | Description     | OPTIONAL - ENERGY VERIFIED label (see instructions below) | Allowed Watts   |  |  | Design Watts for sign | Complies? Y / N | Field Inspector Check that Sign Complies |   |
|  |                 |   | Sign Area (ft²) | Internally (I) or Externally (E) Illuminated | Allowed LPD (I = 12 W/ft²) (E = 2.3 W/ft²) |                       |                 |  |   |
| A  | Channel Letters | ☑   |                 |  |  |                       |                 |  | ☐ |
| A  | Channel Letters | ☑   |                 |  |  |                       |                 |  | ☐ |
|  |                 | ☐   |                 |  |  |                       |                 |  | ☐ |
|  |                 | ☐   |                 |  |  |                       |                 |  | ☐ |
|  |                 | ☐   |                 |  |  |                       |                 |  | ☐ |
|  |                 | ☐   |                 |  |  |                       |                 |  | ☐ |
| A Symbol or code used on the plans (when plans are required) and other documents.  |                 |   |                 |  |  |                       |                 |  |   |
| B A narrative description of the sign, or location of sign on the building; and the location of sign on construction documents.  |                 |   |                 |  |  |                       |                 |  |   |
| C OPTIONAL - Check this box only if this sign has a permanent, pre-printed, factory-installed, ENERGY VERIFIED label, confirming that this sign complies with the Section 148 of the California 2008 Title 24, Part 6 Standards, using the Maximum Allowed Lighting Power method of compliance. The only labels that will be recognized for this purpose are ENERGY VERIFIED Certification Marks authorized by Underwriters Laboratories (UL) or other Product Certification Body accredited to ISO/IEC Guide 65 by the American National Standards Institute in accordance with ISO/IEC 17011. Surveillance by the Accredited Certification Body shall be an ongoing annual inspection program carried out by a Type A Inspection body in accordance with ISO/IEC 17020. For signs with such an ENERGY VERIFIED label, columns 'D' through 'I' are not required to be filled out. Note: Using an ENERGY VERIFIED label is an optional method to validate compliance. An ENERGY VERIFIED label is not needed for compliance. |                 |   |                 |  |  |                       |                 |  |   |
| D The sign area in square feet.  |                 |   |                 |  |  |                       |                 |  |   |
| E List "I" if the sign is internally illuminated. List "E" if the sign is externally illuminated.  |                 |   |                 |  |  |                       |                 |  |   |
| F Allowed watts per square foot. Enter 12 if the sign is listed as "I" in column E. Enter 2.3 if sign is listed as "E" in column E.  |                 |   |                 |  |  |                       |                 |  |   |
| G Multiply the square footage in column D times the allowed Lighting Power Density (LPD = watts) in column F.  |                 |   |                 |  |  |                       |                 |  |   |
| H Show the total installed watts in the sign, as determined according to the applicable provisions of §130(d or e).  |                 |   |                 |  |  |                       |                 |  |   |
| I Enter Y if the number in column H is less than or equal to the number in column G. Otherwise, the sign does not comply.  |                 |   |                 |  |  |                       |                 |  |   |
| J This page doubles as a field inspection checklist.   |                 |   |                 |  |  |                       |                 |  |   |
| Field Inspector Notes:   |                 |   |                 |  |  |                       |                 |  |   |

|   |                 |   |   |  |  |         |  |
|---|-----------------|---|---|--|--|---------|--|
| Certificate of Compliance (Sign Lighting)   |                 |   |   | (Page 4 of 4)                              |  | SLTG-1C |  |
| Project Name:<br>MSC Software   |                 |   |   | Date:<br>07-19-13                          |  |         |  |
| 5. Specific Lighting Source Method of Compliance  |                 |   |   |  |  |         |  |
| Certificate of Compliance and Field Inspection Energy Checklist   |                 |   |   |  |  |         |  |
| Complete this part if there are signs using the Specific lighting source method of compliance. (Complete part 4 of this Certificate of Compliance if there are signs using the maximum allowed lighting power method of compliance)   |                 |   |   |  |  |         |  |
| A   | B               | C   | D   | E  |  |         |  |
| Symbol or Code  | Description     | OPTIONAL ENERGY VERIFIED label (see instructions below) ✓ | Specific light source used for compliance Shall include only lighting technologies listed below List all that apply | Field Inspector Check that Sign Complies ✓ |  |         |  |
| A   | Channel Letters | ☑   | 8   | ☐  |  |         |  |
| A   | Channel Letters | ☑   | 8   | ☐  |  |         |  |
|   |                 | ☐   |   | ☐  |  |         |  |
|   |                 | ☐   |   | ☐  |  |         |  |
|   |                 | ☐   |   | ☐  |  |         |  |
| A Symbol or code used on the plans (when plans are required) and other documents.   |                 |   |   |  |  |         |  |
| B A narrative description of the sign, or location of sign on the building; and the location of sign on construction documents.   |                 |   |   |  |  |         |  |
| C OPTIONAL - Check this box only if this sign has a permanent, pre-printed, factory-installed ENERGY VERIFIED label, confirming that this sign complies with the Section 148 of the California 2008 Title 24, Part 6 Standards, using the Specific Lighting Source Method of Compliance. The only labels that will be recognized for this purpose are ENERGY VERIFIED Certification Marks authorized by Underwriters Laboratories (UL) or other Product Certification Body accredited to ISO/IEC Guide 65 by the American National Standards Institute in accordance with ISO/IEC 17011. Surveillance by the Accredited Certification Body shall be an ongoing annual inspection program carried out by a Type A Inspection body in accordance with ISO/IEC 17020. For signs with such an ENERGY VERIFIED label, column 'D' is not required to be filled out. Note: Using an ENERGY VERIFIED label is an optional method to validate compliance. An ENERGY VERIFIED label is not needed for compliance. |                 |   |   |  |  |         |  |
| D Specific Light Source Compliance Method. The sign(s) identified above use only the following lighting technologies: List all applicable numbers (1 through 10) that apply in column D above for each row.   |                 |   |   |  |  |         |  |
| 1 High pressure sodium lamps  |                 |   |   |  |  |         |  |
| 2 Pulse start or ceramic metal halide lamps served by a ballast with ≥ 88% efficiency   |                 |   |   |  |  |         |  |
| 3 Pulse start metal halide lamps that are ≤ 320 watts, are not 250 watt or 175 watt lamps, and are served by a ballast with ≥ 80% efficiency  |                 |   |   |  |  |         |  |
| 4 Neon or cold cathode lamps with transformer or power supply efficiency ≥ 75% with rated output current < 50 mA  |                 |   |   |  |  |         |  |
| 5 Neon or cold cathode lamps with transformer or power supply efficiency ≥ 68% with rated output current ≥ 50 mA  |                 |   |   |  |  |         |  |
| 6 Fluorescent lamps with a minimum color rendering index (CRI) of 80 (Note: when using electronic ballasts for compliance, lamps with a CRI < 80 may be used)   |                 |   |   |  |  |         |  |
| 7 Light emitting diodes (LEDs) with a power supply with ≥ 80% efficiency  |                 |   |   |  |  |         |  |
| 8 Single voltage LED external power supplies designed to convert 120 volt AC input into lower voltage DC or AC output, having a nameplate output power less than or equal to 250 watts, and certified to the Energy Commission as complying with the applicable requirements of the Appliance Efficiency Regulations (Title 20)   |                 |   |   |  |  |         |  |
| 9 Compact fluorescent lamps that do not contain a medium screw base sockets (E24/E26)   |                 |   |   |  |  |         |  |
| 10 Electronic ballasts with a fundamental output frequency ≥ 20 kHz   |                 |   |   |  |  |         |  |
| E This page doubles as a field inspection checklist.  |                 |   |   |  |  |         |  |
| Field Inspector Notes:  |                 |   |   |  |  |         |  |



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Project No: 35509-R04(PS) MS/KB/DM

Date: 07-02-13

Sign Type: Title 24

Sheet No: T24.2



2. Fact 1.2 says this approval will “*amend*” existing Modification Permit No. MD2006-026. The word “*replace*” or “*supersede*” seems more appropriate since Section 4.3 says the current approval will make the previous permit null and void. And although I assume that is the intention, without studying the previous permit in detail it is difficult to verify that *all* modifications allowed by it continue to be legal under the new permit.
3. For the reasons stated above, I do not think the “unique circumstances” and “hardship” findings (B and C) necessary for a modification can be made. None of the facts stated describe situations that have changed since the PC text was approved, nor ones that could not have been easily anticipated when those standards were written.
4. With regard to Finding D, an obvious alternative that does not seem to have been considered would be amending the PC text so that the present request could be accommodated without a modification permit, and a uniform standard would be ensured throughout the center.
5. Is it understood that Condition of Approval 19 includes authority to regulate *new* as well as *existing* lighting?

**Item 6. 4675 MacArthur Court Sign Modification Permit (PA2013-150)**

1. The same comments apply to this item as previously made with regard to Item 5: in my view it would be better to modify the Koll Center Planned Community text so that uniform standards are applied throughout the complex, rather than issuing modifications for individual buildings. I cannot see any “unique circumstances” or special “hardships” that have arisen since the existing text was last publicly approved that would justify the need for a modification.
2. In addition, unless the building is occupied almost entirely by a single tenant (something that is not clear from the staff report), the requested signs might be seen as serving more of an advertising function for a selected tenant, than a building identification purpose.
3. The first bullet point on page 2 of the staff report (handwritten page 3) says the signs will allow drivers coming from the direction of the 405 Freeway to identify the tenant. One of the signs appears to be on the side least visible from the freeway.
4. Regarding the Draft Resolution of Approval:
  - a. The legal description provided in Section 1.1 appears garbled. I’m not sure what it is intended to say starting with the words “*All –Excluding,*” but the expression “*Northerly 4 Ft*” appears twice.
  - b. Section 4.1 refers to an existing Modification Permit No. MD3637 which will be superseded by the approval, but what that former modification permit allowed does not seem to be explained anywhere in the resolution or staff report.
  - c. In Condition of Approval 2, the reference to NBMC Section 20.91.050 is incorrect (there is currently no such chapter or subsection).